

### OBJECTION TO THE DRAWINGS

Applicant acknowledges the lack of proper element numbers in the figures, which have been amended appropriately. The amended specification now reflects the added element numbers in describing the figures. The element numbers inserted into figure 6 are now presented in the brief  
5 description of the drawings. Applicant respectfully requests that the colored version of figure 6 be included in the requested Notice of Allowance. No new matter has been added.

### OBJECTIONS TO THE SPECIFICATION

10 Applicant acknowledges the objections to the specification and abstract as indicated by the examiner. The disclosure (specification) has been corrected to remove any embedded hyperlink and/or other form of browser-executable code. Applicant has deleted this from the specification as required by MPEP 608.01.

### OBJECTIONS TO THE ABSTRACT

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The abstract of the disclosure has been corrected and is now a single paragraph.

### CLAIMS REJECTIONS – 35 USC §103a

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Claims 1-7 were rejected for being obvious over the prior art, particularly John P. Blasko (Pub. No. U.S. Patent# 20020184130A1 and Blasko hereinafter) in view of Rivette et al. (U.S. Patent# US 5,991,751 B1 and Rivette hereinafter). However, the original filing date of the present invention (June 29, 2001), precedes any of the potentially patentable subject matter by Blasko,  
25 filed April 4, 2002. Therefore, the teachings of Blasko were unknown to the applicant and have no consequence regarding the present application. The publication of Blasko (Dec 5, 2002) could not have been known and was not known by the applicant for the present invention. Therefore, it would not have been obvious to a person of ordinary skill regarding any of the teachings of

Blasko. As a point of law, the Blasko application would not be allowable based on the priority date of the present application (09/896,238). Although Rivette (US 5,991,751) was filed prior to the present application (6/2/97), Rivette's patent does not include the following: a simultaneous combination of intelligent searching for problem solving with, risk evaluation and valuation of intellectual property. Blasko's teachings in combination with Rivette cannot be used as an obviousness rejection against the present invention.

Regarding claims 1, 2, 3, 4, 5, 6, and 7, the 35 USC 103(a) (obviousness) rejection is not supported. Prior art is based on the priority date or filing date associated with any art cited against the applicant. In this case, Blasko cannot be considered as prior art. In addition, because Blasko cannot be considered as prior art, any rejections regarding claim 8 are obviated as well. Specifically with regard to the 35 USC 103(a) rejection of claim 8, the teachings of both Bakalash (US 6408292 published 6/18/02) and the application of Blasko (published 12/5/02) could not have been known by the applicant and again, do not qualify as prior art. Furthermore, while Bakalash does teach some topographical features for mapping included in the present invention (e.g. colors, numbers, or symbols), the present invention maintains new features, including the return of information in audible or audiovisual forms. This feature and the utility it represents is unique, novel, and unobvious over the prior art. Therefore, in addition to the fact that the 35 USC 103(a) rejection is improper, the combination of Blasko and Bakalash is not supported.

Claims 9-11 are rejected under 35 USC 103(a) as being unpatentable over Rivette et al.

Claim 9 teaches a computer implemented logic-flow based system that teaches away from Rivette. Unique, novel, and unobvious features of this claim include more complex forms of patent valuation (e.g. Black-Sholes model, Discounted Cash Flow, etc.), the ability to perform such valuation in real-time, and the use of audio, video, or audiovisual return of text or image data. Specifically, Rivette does not teach the ability to perform analysis, searching, retrieving, mapping, **and valuation**. More specifically, regarding figure 2 from Rivette (feature 206) there is no mention or discussion involving valuation (instantaneous or otherwise) but rather retrieval of financial information from previously compiled databases that may or may not be relevant to the specific technology, technology sector, or patentable invention. Specifically, regarding the information contained in Rivette in columns 12-13 lines 43-67 and 1-24, there is no mention of providing a means for valuation methods and more precisely, absolutely no mention of using Black-Sholes, discounted cash flow (DCF), or any associated valuation methodology which could be mapped in conjunction with analysis, searching, and retrieving of relevant IP.

Regarding the objections raised including figures 67, 70, and 142, the following comments apply. Figure 67 involves the display of remaining patent term, which is an obscure and insufficient determination of potential value. Figure 70 is a database associated with patent ownership and licensing rights which again is an obscure and insufficient method to establish potential value. Figure 142 indicates a search-and-retrieval methodology for finding patents in a relevant technology space. Even if all the information provided in figures 67, 70, and 142 were combined (document grouping), the valuation methodology is insufficient, obscure, and irrelevant regarding any IP valuation methodologies stated in the present invention. Certainly, there is no discussion about combining the necessary valuation methods (including Black-Sholes,

Discounted Cash Flow (DCF), etc.) that are described in the present invention. There is also no indication regarding audio or audible feedback or broadcast of any of the information provided by the invention of Rivette.

- 5 Claim 10 is rejected due to fundamentally similar objections to those of Claim 9. Claim 10 teaches a computer implemented logic-flow based system that is superior over Rivette. Unique, novel, and unobvious features of this claim include more complex forms of patent valuation (e.g. Black-Sholes model, Discounted Cash Flow, etc.), the ability to perform such valuation in real-time, and the use of audio, video, or audiovisual return of text or image data. Specifically, again,
- 10 Rivette does not teach the ability to perform analysis, searching, retrieving, mapping, *and valuation*. More specifically, regarding figure 2 from Rivette (feature 206) there is no mention or discussion involving valuation (instantaneous or otherwise) as opposed to Rivette's invention regarding retrieval of financial information from previously compiled databases that may or may not be relevant to the specific technology, technology sector, or patentable invention.
- 15 Specifically, regarding the information contained in Rivette in columns 12-13 lines 43-67 and 1-24, there is no mention of providing a means for valuation methods and more precisely, absolutely no mention of using Black-Sholes, discounted cash flow (DCF), or any associated valuation methodology which could be mapped in conjunction with analysis, searching, and retrieving of relevant IP. Moreover, figure 148 has no information regarding audio files or audio
- 20 feedback or audio broadcasting of any information found involving patent files.

Claim 11 is rejected due to fundamentally similar objections. Claim 11 teaches a computer implemented logic-flow based system that is superior over Rivette. Unique, novel, and

unobvious features of this claim include more complex forms of patent valuation (e.g. Black-Sholes model, Discounted Cash Flow, etc.), the ability to perform such valuation in real-time, and the use of audio, video, or audiovisual return of text or image data. Again, Rivette does not teach the ability to perform analysis, searching, retrieving, mapping, *and valuation*. More

5 specifically, regarding figure 2 from Rivette (feature 206) there is no mention or discussion involving valuation (instantaneous or otherwise) as opposed to Rivette's invention regarding retrieval of financial information from previously compiled databases that may or may not be relevant to the specific technology, technology sector, or patentable invention. Specifically, regarding the information contained in Rivette in columns 12-13 lines 43-67 and 1-24, there is no

10 mention of providing a means for valuation methods and more precisely, absolutely no mention of using Black-Sholes, discounted cash flow (DCF), or any associated valuation methodology which could be mapped in conjunction with analysis, searching, and retrieving of relevant IP. Moreover, figure 148 has no information regarding audio files or audio feedback or audio broadcasting of any information found involving patent files. Moreover, figure 148 has no

15 information regarding audio files or audio feedback or audio broadcasting of any information found involving patent files.

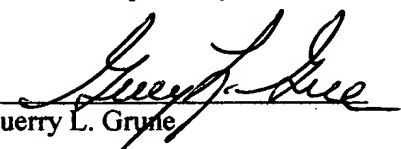
Applicant submits that the application is now in condition for allowance, and early notification of such action is earnestly solicited.

Dated this 11 day of April, 2006

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Respectfully Submitted,

By:

  
Guerry L. Grune

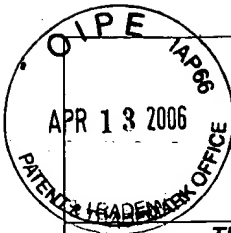
Reg. No. 46,745

ePatentmanager.com

784 Villier Ct.

Virginia Beach, VA 23452

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## Office Action Summary

**Application No.**

09/896,238

**Applicant(s)**

GRUNE ET AL.

**Examiner**

DIANE D. MIZRAHI

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 August 2003.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-11 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-11 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 29 June 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☒ Other: See Continuation Sheet.

Continuation of Attachment(s) 6). Other: Drawings as filed on 6/29/01 do not contain element numbers. New drawings with element numbers are required. No new matter can be inserted in Applicant's specification.



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III. DETAILED ACTION

*Examiner's Remarks*

The Office Action mailed 12/23/2003, regarding claims 1-11 and the rejection set forth in the 12/23/2003 office action is hereby withdrawn. All previous presented rejections are hereby withdrawn. Examiner regrets that the prior art was not available in the past. See new office action below:

**Specification**

This is in response to Applicant's substitute specification of August 13, 2003 which has been entered in Applicant's application.

The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code. Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01. (see page 3, line 2 for example) The entire specification should be checked for embedded hyperlink and/or other form of browser-executable code.

The abstract of the disclosure is objected to because the abstract should be one paragraph. See MPEP § 608.01(b).

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Appropriate correction is required.

**Claim Rejections - 35 USC 103**

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over John P. Blasko (Pub. No. U.S. Patent# 20020184130 A1 and Blasko hereinafter) in view of Rivette et al. (U.S. Patent# US 5,991,751 B1 and Rivette hereinafter).

Regarding Claim 1, Blasko teaches 1. A computer system for enabling a simultaneous combination of techniques including intelligent searching for problem solving with, (i.e. knowledge database and program modules ) [0022] and (i.e. risk evaluation rules ) [0042] and valuation of intellectual property (i.e. the value of a patent or group of patents) [0033] and (i.e.

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valuation and patent investment risks) [0043] while providing (i.e. a bar chart of the overall transaction, resource, valuation and patent investment risks ... patent portfolio label ) [0043] of said techniques' results regarding said intellectual property in a meaningful manner with a user interface device (i.e. which reads on the means for displaying risk information using a graphical display ) [0005] and (i.e. graphically displays the weighted risk information such that the user has a visual indicator of the relative risks associated with a patent asset or a patent prosecution transaction) [0003], said computer system comprising; at least one server computer [0020]; one or more client computers connected to said server computer via a global area network and one or more computer programs executed by one or more server computers [0020]; wherein said computer program further comprises computer instructions for: storing, retrieving, and searching for information regarding said intellectual property corresponding to a technology sector within a technology exchange [0035] in and from a database (storing, retrieving, and searching problem solving solutions related to said intellectual property in and from a database, storing, retrieving, and searching scientific and engineering publications related to said intellectual property in and from a database; allowing for searching, retrieving, and storing into

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and from said database or databases information regarding said intellectual property within said technology exchange (i.e. technology alternatives) [0008], said problem solving database (i.e. (i.e. knowledge database and program modules ) [0022] and (i.e. risk evaluation rules ) [0042] , and said science and engineering database, resulting in model mapping and valuing said intellectual property according to one or more search criteria specified by a user.

Blasko does not expressly teach model mapping.

Rivette teaches model mapping (i.e. patent mapping module) (Figure 84) see also (i.e. hyperbolic trees ) (Figures 178-179).

It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Blasko with the teachings of Rivette to include the claimed model mapping with the motivation to illustrate that patents are becoming more and more important to a business's success, especially in today's global economy. Patents can be viewed as a new type of currency in this global economy because they grant the holder with a right to exclude others from making, using, or selling the patented technology. In some industries, product turnover is fairly rapid. However, core technology, product features, and markets change at a much

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slower rate. Accordingly, even in fast-moving industries, patents which cover core technology are very valuable at protecting a company's research and development investment for an extended period of time (col 1, lines 13-23).

Regarding Claim 2, the limitations of this claim is similar in scope to the rejected claim above and is therefore rejected as set forth above. In addition, Basko does not expressly teach answers to queries regarding any aspect of said intellectual property, including real-time determination of a value of said intellectual property; determination of assignee or assignees; determination of any prior art associated with said intellectual property; determination of any inventors associated with said intellectual property; determination of any patents and patent applications associated with the international and U.S. classification of said intellectual property where said property is itself a patent, determination of any past and current uses and users of said intellectual property; prediction by said model mapping of a value, trend, or existence of current intellectual property and prediction by said model mapping of said value, trend or existence of future intellectual property.

Rivette teaches answers to queries regarding any aspect of the intellectual property, including real-time determination of a value of the intellectual property (i.e. search by fields, Fig. 12H; determining license revenue per patent, Fig. 12M) ; determination of assignee or assignees (Fig. 12B, 1201); determination of any prior art associated with the intellectual property (Fig. 12H, 1226); determination of any inventors associated with the intellectual property (Fig. 12D, 1212); determination of any patents and patent applications associated with the international and U.S. classification of the intellectual property where the property is itself a patent (i.e. search class, Fig. 12D, 1211), determination of any past and current uses and users of the intellectual property (i.e. licensee, Fig. 12M); prediction by the model mapping of a value, trend, or existence of current intellectual property and prediction by the model mapping of the value, trend or existence of future intellectual property (i.e. patent aging, financial functions, Col. 22, lines 66-67; Col. 23, lines 1-10).

It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Blasko with the teachings of Rivette to include the claimed answers to queries regarding any aspect of said intellectual property, including instantaneous determination of

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a value of said intellectual property; determination of assignee or assignees; determination of any prior art associated with said intellectual property; determination of any inventors associated with said intellectual property; determination of any patents and patent applications associated with the international and U.S. classification of said intellectual property where said property is itself a patent, determination of any past and current uses and users of said intellectual property; prediction by said model mapping of a value, trend, or existence of current intellectual property and prediction by said model mapping of said value, trend or existence of future intellectual property with the motivation to illustrate that patents are becoming more and more important to a business's success, especially in today's global economy. Patents can be viewed as a new type of currency in this global economy because they grant the holder with a right to exclude others from making, using, or selling the patented technology. In some industries, product turnover is fairly rapid. However, core technology, product features, and markets change at a much slower rate. Accordingly, even in fast-moving industries, patents which cover core technology are very valuable at protecting a company's research and development investment for an extended period of time (col 1, lines 13-23).

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Regarding Claim 3, Blasko teaches , problem solving with, and valuation of intellectual property, (i.e. knowledge database and program modules ) [0022] and (i.e. risk evaluation rules ) [0042] and valuation of intellectual property (i.e. the value of a patent or group of patents) [0033] and (i.e. valuation and patent investment risks) [0043] .

Blasko does not expressly teach, wherein any permutation and combination regarding techniques includes intelligent searching for while providing model mapping of said intelligent searching and valuation results is optionally simultaneous and optionally includes a simpler combination of said techniques.

Rivette teaches a system, wherein any permutation and combination regarding techniques includes intelligent searching for (Fig. 53), while providing model mapping (Figure 84) see also (i.e. hyperbolic trees) (Figures 178-179 ) of the intelligent searching and valuation results is optionally simultaneous and optionally includes a simpler combination of the techniques (i.e. multiple reports displayed simultaneously, Fig. 67. Note the standard Graphical User Interface which allows different reports to be selected either through a tab interface or tiled on the screen simultaneously, a standard feature of the "Window" menu.)



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It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Blasko with the teachings of Rivette to include the claimed wherein any permutation and combination regarding techniques includes intelligent searching for while providing model mapping of said intelligent searching and valuation results is optionally simultaneous and optionally includes a simpler combination of said techniques with the motivation to illustrate that patents are becoming more and more important to a business's success, especially in today's global economy. Patents can be viewed as a new type of currency in this global economy because they grant the holder with a right to exclude others from making, using, or selling the patented technology. In some industries, product turnover is fairly rapid. However, core technology, product features, and markets change at a much slower rate. Accordingly, even in fast-moving industries, patents which cover core technology are very valuable at protecting a company's research and development investment for an extended period of time (col 1, lines 13-23).

Regarding Claim 4, limitations of this claim is similar in scope to the rejected claim above and is therefore rejected as set forth above. In addition, Blasko does not expressly teach

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providing model mapping of said intelligent searching and valuation results is optionally simultaneous and optionally includes a simpler combination whereby only intelligent searching together ... while providing model mapping.

Rivette teaches providing model mapping of the intelligent searching and valuation results is optionally simultaneous and optionally includes a simpler combination whereby only intelligent searching ... providing model mapping is provided (Fig. 70; Fig. 140. Note that the present invention allows concept searching in conjunction with patent aging and licensee searching.)

It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Blasko with the teachings of Rivette to include the claimed providing model mapping of said intelligent searching and valuation results is optionally simultaneous and optionally includes a simpler combination whereby only intelligent searching together ... while providing model mapping with the motivation to illustrate that patents are becoming more and more important to a business's success, especially in today's global economy. Patents can be viewed as a new type of currency in this global economy because they grant the holder with a right to exclude others from making, using, or selling the patented

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technology. In some industries, product turnover is fairly rapid. However, core technology, product features, and markets change at a much slower rate. Accordingly, even in fast-moving industries, patents which cover core technology are very valuable at protecting a company's research and development investment for an extended period of time (col 1, lines 13-23).

Regarding Claim 5, limitations of this claim is similar in scope to the rejected claim above and is therefore rejected as set forth above. In addition, Blasko does not expressly teach , wherein a second simpler combination ... .... based systems while providing model mapping.

Rivette teaches wherein a second simpler combination ... .... based systems while providing model mapping (Figure 84) see also (i.e. hyperbolic trees ) (Figures 178-179) see also (Col. 26, lines 29-33).

It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Blasko with the teachings of Rivette to include the claimed wherein a second simpler combination ... .... based systems while providing model mapping with the motivation to illustrate that patents are becoming more and more important to a business's success, especially in today's global economy.

Patents can be viewed as a new type of currency in this global economy because they grant the holder with a right to exclude others from making, using, or selling the patented technology. In some industries, product turnover is fairly rapid. However, core technology, product features, and markets change at a much slower rate. Accordingly, even in fast-moving industries, patents which cover core technology are very valuable at protecting a company's research and development investment for an extended period of time (col 1, lines 13-23).

Regarding Claim 6, Blasko teaches a third simpler combination electronic patent searching and results of said searching for specific intellectual property and simultaneous and real-time valuation of said patented intellectual property.

Blasko does not expressly teach model mapping .

Rivette teaches model mapping (i.e. patent mapping module) (Figure 84) see also (i.e. hyperbolic trees ) (Figures 178-179).

It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Blasko with the teachings of Rivette to include the claimed model mapping with the motivation to illustrate that patents are becoming more and more important to a business's

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success, especially in today's global economy. Patents can be viewed as a new type of currency in this global economy because they grant the holder with a right to exclude others from making, using, or selling the patented technology. In some industries, product turnover is fairly rapid. However, core technology, product features, and markets change at a much slower rate. Accordingly, even in fast-moving industries, patents which cover core technology are very valuable at protecting a company's research and development investment for an extended period of time (col 1, lines 13-23).

Regarding Claim 7, Blasko teaches a fourth simpler combination ... (see Figure 1, #30, #32, #34 and #36).

Blasko does not expressly teach model mapping.

Rivette teaches model mapping (i.e. patent mapping module) (Figure 84) see also (i.e. hyperbolic trees ) (Figures 178-179).

It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Blasko with the teachings of Rivette to include the claimed model mapping with the motivation to illustrate that patents are becoming more and more important to a business's success, especially in today's global economy. Patents can be

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viewed as a new type of currency in this global economy because they grant the holder with a right to exclude others from making, using, or selling the patented technology. In some industries, product turnover is fairly rapid. However, core technology, product features, and markets change at a much slower rate. Accordingly, even in fast-moving industries, patents which cover core technology are very valuable at protecting a company's research and development investment for an extended period of time (col 1, lines 13-23).

Claim 8 is are rejected under 35 U.S.C. 103(a) as being unpatentable over John P. Blasko (Pub. No. U.S. Patent# 20020184130 A1 and Blasko hereinafter) in view of Reuven Bakalash et al. (US Patent No. 6,408,292 B1) and Bakalash hereinafter).

The teachings of Blasko have been discussed above.

Blasko does not teach topographical features ... including colors, numbers, or symbols ... direction of increasing and decreasing value.

Bakalash teaches topographical features ... including colors, numbers, or symbols ... direction of increasing and

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decreasing value (i.e. geography... dimensions) (col 4, lines 5-29).

It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Blasko with the teachings of Bakalash to include the claimed topographical features ... including colors, numbers, or symbols ... direction of increasing and decreasing value with the motivation to enable full-functioned business analysis (Bakalash, col 1, lines 65-67) and to allow knowledge workers to analyze data from a number of different business perspectives and dimensions (Bakalash, col 2, lines 28-29).

Claims 9-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over of Rivette et al. (U.S. Patent# US 5,991,751 B1 and Rivette hereinafter).

Regarding Claim 9, Rivette teaches a computer implemented method for enabling optional simultaneous and instantaneous or optional simultaneous or optional instantaneous review of data containing files comprising; patents, patent applications, and publications as they appear in an electronic patent shoe or otherwise, science and engineering technology literature pertinent to the patents and patent applications and

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publications from electronic databases (Col. 10, lines 8-14), and problem solving solutions pertinent to the patents and patent applications and publications from electronic databases (i.e. R&D information, Fig. 2, 206), allowing for evaluation of the review and pertinent real-time valuation methods of the patents or patent applications and publications comprising the steps of; (1) causing generation of an electronic patent shoe with optional real-time access to the science and engineering technology literature review, problem solving solutions review, and valuation methods comprising minimally a plurality of patents, and optionally the technology literature, and the problem solving solutions (i.e. document grouping, Fig. 4, 412; Col. 12, lines 43-67; Col. 13, lines 1-24); (2) causing access to a user interface device to distribute, by means of an audio or visual or audiovisual display, in a meaningful manner, at least a list of patents and associated pertinent valuations of the list of patents in real-time fashion and optionally allowing access and subsequent distribution to problem solving solutions and technology literature associated with and pertinent to the list of patents and associated valuations (i.e. user interface, Fig. 67; Fig. 70; Fig. 142); (3) causing, pursuant to a command to view or hear a next file comprising the patents and associated valuations, the problem solving solutions



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and the technology literature, retrieval and audible or visual display of image or text data or both image and text data representative of at least a portion of the next file (Fig. 148, 14806); and (4) causing, pursuant to a command to view or hear a previous file, retrieval and distribution of at least a portion of the previous file (i.e. next arrow, Fig. 148, 14806); (5) allowing a user to scroll back and forth between steps (2) and (3) with no limitations and to provide reports with or without model mapping that capture any desired portion of the visual or audible or audiovisual displays (i.e. back arrow, Fig. 148, 14806).

Regarding Claim 10, Rivette teaches a method comprising sequential steps of (1) causing generation of a problem solving solutions review with optional instant access to the science and engineering technology literature review, the electronic patent shoe, and the valuation methods comprising minimally problem solving solutions, and optionally the technology literature, and a plurality of patents (Col. 13, lines 25-44) and; (2) causing access to a user interface device to distribute, by means of an audio or visual or audiovisual display, in a meaningful manner, at least a list of a problem solving solutions review of patents and associated pertinent valuations of the list of patents in an instantaneous or near instantaneous fashion and optionally

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allowing access and subsequent distribution to problem solving solutions and technology literature associated with and pertinent to the list of patents and associated valuations (i.e. user interface, Fig. 67; Fig. 70; Fig. 142), (3) causing, pursuant to a command to view or hear a next file comprising the solutions, the patents from the electronic patent shoes and the technology literature with the value of the patents retrieved from the electronic patent shoe based on the solutions, retrieval and audible or visual display of image or text data or both image and text data representative of at least a portion of the next file (Fig. 148, 14806); and (4) causing, pursuant to a command to view or hear a previous file, retrieval and distribution of at least a portion of the previous file (i.e. next arrow, Fig. 148, 14806); and;

(5) allowing a user to scroll back and forth between steps (2), (3), and (4) with no limitations and to provide reports with or without model mapping that capture any portion of the visual or audible or audiovisual displays (i.e. back arrow, Fig. 148, 14806).

Regarding Claim 11, Rivette teaches a method comprising sequential steps of (1) causing generation of a valuation of intellectual property with optional instant access to the science and engineering technology literature review, the

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electronic patent shoe, and the problem solving solutions review comprising minimally valuation solutions, and optionally the technology literature review results, electronic patent shoe searching results and problem solving solution results (Col. 13, lines 25-44); (2) causing access to a user interface device to distribute, by means of an audio or visual or audiovisual display, in a meaningful manner, at least a list of associated pertinent valuations of the list of patents, a problem solving solutions review of patents in an instantaneous or near instantaneous fashion and optionally allowing access and subsequent distribution to problem solving solutions and technology literature associated with and pertinent to the list of patents and associated valuations (i.e. user interface, Fig. 67; Fig. 70; Fig. 142); (3) causing, pursuant to a command to view or hear a next file comprising the valuations from the associated patents from the electronic patent shoes, associated problem solving solutions and associated technology literature, retrieval and audible or visual display of image or text data or both image and text data representative of at least a portion of the next file (Fig. 148, 14806); and (4) causing, pursuant to a command to view or hear a previous file, retrieval and distribution of at least a portion of the previous file (i.e. next arrow, Fig. 148, 14806); (5) allowing a user to scroll back

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and forth between steps (2), (3), and (4) with no limitations and to provide reports with or without model mapping that capture any portion of the visual or audible or audiovisual displays (i.e. back arrow, Fig. 148, 14806).

**Other Prior Art Made of Record**

The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure. U.S. patents and U.S. patent application publications will not be supplied with Office actions. Examiners advises the Applicant that the cited U.S. patents and patent application publications are available for download via the Office's PAIR. As an alternate source, all U.S. patents and patent application publications are available on the USPTO web site ([www.uspto.gov](http://www.uspto.gov)), from the Office of Public Records and from commercial sources. For the use of the Office's PAIR system, Applicants may refer to the Electronic Business Center (EBC) at <http://www.uspto.gov/ebc/index.html> or 1-866-217-9197.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Diane D. Mizrahi whose telephone number is 571-272-4079. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be

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reached on (571) 272-4146. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 873-8300 for regular communications and (703) 305-3900 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.



Diane Mizrahi  
Primary Patent Examiner  
Technology Center 2100

October 10, 2005



# **Notice of References Cited**

Application/Control No.

09/896,238

Applicant(s)/Patent Under

Reexamination

GRUNE ET AL.

Examiner

DIANE D. MIZRAHI

Art Unit

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## **U.S. PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
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	B	US-2002/0184130 A1	12-2002	Blasko, John P.	705/35
	C	US-6,499,026	12-2002	Rivette et al.	707/2
	D	US-2002/0077835 A1	06-2002	Hagelin, Theodore	705/1
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	S					
	T					

## **NON-PATENT DOCUMENTS**

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

\*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)  
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.